



CITY OF SAN JOSÉ, CALIFORNIA

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CIVIL SERVICE COMMISSION

Bill Brill, Chair
Sharon L. Hightower, Vice Chair
Dave Busse
Richard J. Giovannetti
Leon Louie

Minutes of the Commission March 1, 2007

The Civil Service Commission of the City of San José convened in regular session March 1, 2007, in the City Council Chambers of San José City Hall at 4:02 p.m.

ROLL CALL

Present: Commissioners Busse, Giovannetti, Hightower, Louie and Brill
Absent: None

ORDERS OF THE DAY

By motion unanimously adopted, the Consent Calendar was approved.

CONSENT CALENDAR

By motion unanimously adopted, the Consent Calendar was approved.

1. Information Only
 - a. Hiring Summary – Memorandum from Human Resources Department dated February 21, 2007, listing complaints about hiring issues and a summary of hiring activity for the period July 2, 2006 through February 10, 2007, was filed.
2. Minutes of February 1, 2007, were approved.

END OF CONSENT CALENDAR

3. Hearings to be scheduled:

- a. Scheduling the appeal of suspension of Raymond Pena, Police Officer (2215) was scheduled for May 1, 2007 at 6:30 p.m. Written time waiver filed. (Hopper/Peterson)

Deputy City Attorney Brian Hopper, appearing on behalf of the City, and Larry Petersen, appearing on behalf of the appellant, were present. Hearing Officer Hightower advised that both parties participate in a prehearing conference with her one week prior to the hearing date, be prepared to discuss issues, witnesses and have already changed documents.

- b. Scheduling the appeal of suspension of Ralph Welsh, Parking and Traffic Control Officer (2451) was scheduled for May 10, 2007 at 6:30 p.m. Written time waiver filed. (Hopper/Pope)

Deputy City Attorney Brian Hopper, appearing on behalf of the City, and Bill Pope, Operating Engineers' Local #3 business representative, appearing on behalf of the appellant, were present. Hearing Officer Hightower advised both parties to participate in a prehearing telephone conference with her one week prior to the hearing date, be prepared to discuss issues, witnesses and have already exchanged documents.

- c. Rescheduling of the appeal of salary reduction of Dean Zeisbrich, Associate Construction Inspector (3771) was deferred to April 5, 2007. Hearing of February 15, 2007 canceled. Written time waiver filed. (Fabela/Zeisbrich)

4. Appeal of limitation placed on Outside Work Permit of Josefina Richard, Senior Custodian (3213) was deferred to April 5, 2007.

This item was continued to April 5, 2007.

5. Request by Melanie Harmon, Account Technician with the Department of Parks, Recreation and Neighborhood Services, requesting a formal review of the hiring practices in regards to the minimum qualifications and suitable substitution for Analyst I/II. Continued from December 7, 2006.

Documents filed: 1) Correspondence from Melanie Harmon dated October 24, 2006; 2) Memorandum from Melanie Harmon dated December 7, 2006; 3) Memorandum from Human Resources Deputy Director Arlene Gibbs dated January 23, 2007; and 4) Memorandum from Melanie Harmon dated February 20, 2007.

Melanie Harmon thanked the Commission for reviewing her request and thanked Human Resources for compromising with reviewing applications on a case-by-case basis. Human Resources Deputy Director Arlene Gibbs stated that it was cooperative effort between Human Resources and AFSCME-CEO and found a compromise that was suitable for all parties.

6. Request of investigation of the Environmental Services Department in regards to the position of Senior Environmental Inspector. Deferred from November 2, 2006.

Documents Filed: 1) Correspondence from David S. Wall dated September 22, 2006 to February 29, 2007 requesting an investigation of the Environmental Services Department in regards to the position of Senior Environmental Inspector; 2) Correspondence from Jon Max Reger and Michael Johnson dated October 5, 2006 regarding the Senior Environmental Inspector hiring process; 3) Memorandum from Human Resources Deputy Director Arlene Gibbs dated January 23, 2007 regarding the Senior Environmental Inspector; and 4) Memorandum from Human Resources Deputy Director Arlene Gibbs dated February 21, 2007 regarding the Senior Environmental Inspector.

Human Resources Deputy Director Arlene Gibbs stated there was a recruitment for three Senior Environmental Inspector positions that had raised concern with internal staff. Human Resources conducted a “do-over” from the point of submission of applications and applications were reviewed and qualified candidates were interviewed resulting in the hiring of two internal candidates. Human Resources Deputy Director Gibbs stated the remaining position is going through an external recruitment and stated that internal candidates are also being considered. The Commission noted and filed the item and no action was taken.

7. Request of rehearing for the appeal of suspension of Michael Brady, Electrician (3153) (Smyth-Mendoza/Brady).

This item was continued to be heard on March 12, 2007.

ORAL PETITIONS

ADJOURN at 4:36 p.m. to March 1, 2007 at 6:30 p.m. to hear the appeal of demotion of Phil McGinnis, Senior Environmental Inspector (5223) (Hopper/Buchanan).

BILL BRILL, CHAIR

ATTEST:
CIVIL SERVICE COMMISSION
LEE PRICE, MMC, SECRETARY

Michelle Estabillo, Deputy Secretary